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UNITED NATIONS DECADE OF INTERNATIONAL LAW

Report of the Secretary-General

Addendum

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ANNEX I

JAPAN

[Original: English]

[6 November 1990]

1. The Government of Japan welcomes the consensus adoption of the resolution last year (General Assembly resolution 44/23 of 17 November 1989) declaring the period 1990-1999 as the United Nations Decade of International Law.

2. The basic structure of the postwar international community has changed dramatically since 1989; we now have a historic opportunity to forge a new world order. Given this situation, international law has an ever greater role to play in the relations among nations. The United Nations declared the 1990s as the Decade of International Law in response to an awareness on the part of Member States of the growing importance of international law; that declaration is a clear reflection of the strong aspirations of Member States for the construction of a new peaceful international order by enhancing the rule of law.

3. International law provides the basis for relations among nations. To consolidate that basis, it is necessary, first of all, to undertake its codification and progressive development. And, in order to establish a peaceful international community based upon the rule of law, it is essential to promote an understanding among States, especially at the popular level, that respect for the rules and norms of international law is of utmost importance. Important, too, is the dissemination of international law, and this also should be emphasized.

4. Likewise, the United Nations Decade of International Law provides a valuable opportunity to reconfirm the importance of the peaceful settlement of disputes between States in accordance with international law.

5. Accordingly, the Government of Japan believes it would be of great significance if the United Nations as a whole promoted the rule of law by focusing on, and setting as themes of the Decade, "The teaching, study, dissemination and wider appreciation of international law" and "The peaceful settlement of disputes between States".

6. Unlike domestic law, there are few cases in which an individual can be subject to international law, nor are there many occasions when we perceive the effects of international law in our daily lives. Nevertheless, in promoting respect for international law by States, it is essential to enhance understanding of the importance of respect for international law by the nationals of States. In other words, the actions of a Government must be subject to the scrutiny of its nationals, who, in turn, should have a correct knowledge of international law and fully understand its importance.

7. The numerous international laws in the range of fields are playing a very important role in our present international society. In promoting wider public appreciation of international law, it might be helpful to select those laws which are most fundamental - namely, those whose existence, purport and outline should be understood by the general public - and to focus on enhancing that understanding. In the view of the Government of Japan, the Charter of the United Nations is the most fundamental international law ruling international society; its importance is increasing steadily as a new world order evolves and it deserves to be widely appreciated by those who will be the constituents of the international society in the twenty-first century.

8. Our first task, therefore, is to strengthen public awareness and understanding o. .he Charter of the United Nations. Towards that end, the Japanese Government suggests that the United Nations consider upgrading public information materials and preparing, if possible, new materials. For example, it might produce a manual on fundamental points of international law, which could include a brief commentary on such basic conventions as the Charter of the United Nations, as well as basic issues in general international law. Such efforts should, of course, be carried out within existing resources of the United Nations. In so doing, the United Nations should also take into account the age of the targeted readership of the manual, as well as the regional differences, in order to ensure that it will be effective. It might be a good idea to conduct surveys, at the beginning of the Decade and also at its conclusion, to ascertain the level of public understanding of international law.

9. Furthermore, the following suggestions are offered in order to promote an appreciation of international law by the general public at a higher level.

10. In an effort to enhance popular understanding of international law, it may be useful to arrange the laws systematically by making a list of principal treaties in each of the major fields. One idea would be to focus each year of the decade on a particular field. For example, one year would be devoted to promoting the Charter of the United Nations, another to promoting the law of human rights, or another, the Law of the Sea, etc. By according a priority to a specific area each year, the work of systematizing the arrangement of international law and programmes for their dissemination can be advanced.

11. Lastly, regarding the question of procedure, the Government of Japan considers it desirable for the United Nations to examine the concrete programme of work during the United Nations Decade of International Law through the Working Group and within the framework of the Sixth Committee. For example, the Working Group could be convened every two years to review the progress of work and set an agenda for the subsequent two-year period. Such an approach would be appropriate for advancing steadily the various objectives of the United Nations Decade of International Law. In this regard, it is premature to discuss at this stage any special programme for the conclusion of the Decade.

12. Needless to say, full attention should be paid to avoid a duplication of the efforts that are already under way in the United Nations and other international organizations. Moreover, we should proceed with utmost care so that we do not

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establish a mechanism or prepare an instrument that would overlap existing mechanisms or instruments. The role of the Sixt Committee as a co-ordinator of efforts on questions in the legal field should be emphasized so as to enhance the effectiveness and efficiency of existing international organizations and various international instruments.